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Central Intelligence Agency



Washington, D.C. 20505

27 SEP 1982 STAT

Mr. J. Michael Rouse
Editor in Chief
Durham Morning Herald
115 Market Street
Durham, North Carolina 27702

Dear Mr. Rouse:

In recent weeks my remarks concerning the Freedom of Information Act have been repeatedly distorted. I have never advocated the total repeal of the Freedom of Information Act. I have, however, repeatedly stressed that there is an inherent incompatibility in applying an openness in government law to intelligence agencies whose missions must be carried out in secrecy.

The receipt of an FOIA request by an intelligence agency begins a lengthy process of searching numerous compartmented record systems and then reviewing any responsive documents. This careful review requires the time and attention of senior intelligence officials, thus diverting them from their primary duties. Despite these efforts, there is always the possibility of human error which could result in the release of classified information damaging to the national security. Moreover, the necessity to engage in this search and review is disturbing to friendly foreign intelligence services as well as to individual sources of information. Due to the existing exemptions in the Act, FOIA releases for the most part consist of scattered words and phrases. These fragmented releases are subject to misinterpretation and intentional misuse.

More importantly, the benefit to the public from FOIA releases is marginal. I fail to see how releases of bits of information serve the purpose of the FOIA to provide government accountability. The intelligence agencies have more direct executive branch and congressional oversight than any other

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agency within our government. Thus, the necessary accountability and oversight of intelligence activities is fully provided for by our elected officials who, unlike the public, have access to all classified information.

As U.S. District Court Judge Gerhardt Gesell said after reviewing Philip Agee's FOIA request for the release of 8,600 documents, "It is amazing that a rational society tolerates the expense, the waste of resources, the potential injury to its own security which this case necessarily entails."

Sincerely,

/s/ William J. Casey

William J. Casey
Director of Central Intelligence

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DURHAM HERALD (N.C.)
5 September 1982

Official Secrecy Versus Democracy

William J. Casey, the president's crony and director of the Central Intelligence Agency, says the spy outfit may not be able to coexist with the Freedom of Information Act. He recommends getting rid of the act.

Baloney! The Freedom of Information Act, under fire since the Reagan team took office, was passed by Congress in reaction to years of abuse by executive-branch departments. It was meant to thwart the impulses of bureaucrats with their mania for secrecy stamps and for hiding information from the public they serve. The instinct of some bureaucrats, as unthinking as that of lemmings dashing into the sea, is to keep public business as private as possible.

More often than not, the information, when it is finally pried from their clutches, isn't nearly as sensitive as they would have you believe. And, often as not, their real reason for hiding information has little to do with vital public purposes; it has to do with protecting the bureaucrats' comfort, or sparing them embarrassment.

This is supposed to be a democracy—a government as open as possible. People can hardly make democratic decisions if they don't have information on which to base them. If the government will not cooperate then a law is necessary.

The Freedom of Information Act, while not perfect, has worked fairly well. It should be strengthened and improved, not diluted or junked. The administration of President Jimmy Carter, to its credit, acted more in keeping with the intent and spirit of the act than has the Reagan administration.

Mr. Casey complains that the Freedom of Information Act makes it difficult for the Central Intelligence Agency to do its job and protect secrets. We can take that with a large pinch of salt. Five will get you ten that the people who are most kept in the dark by official government secrecy are American citizens, not the enemy's spies.

Besides that, one doubts that the security of this nation depends on cloak-and-dagger games as much as Mr. Casey seems to think. Our security depends primarily on our physical strength and our willingness to use it against aggression.

If Mr. Casey were right, and the Central Intelligence Agency truly could not function with the Freedom of Information Act in place, then the choice would be easy, but it is not the one Mr. Casey advocates. If it were a matter of getting rid of one or the other, then we should get rid of the CIA.

A government that cannot trust its people cannot be trusted.